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BANK BILL KILLED IN HOUSE AFTER DAYS OF DEBATE

Montague Measure Is Finally Defeated by Vote of 52 to 34.

STATE TAX RATE CANNOT BE CUT

Demand for Appropriations So Great That No Reduction Can Be Made on Real and Personal Property—Favorable Report on Girls' Home Measure.

After four days of debate and the consideration of amendments, the House of Delegates yesterday defeated the Montague measure by a vote of 52 to 34. The bill proposed to enlarge the powers and duties of the State Examiner's office, changing the name to the Bureau of Banking. Increasing the salary of the examiner from \$3,000 to \$4,000, and changing his position from a four-year term to tenure during good behavior. His powers over State banks and trust companies were proposed to be similar to those exercised by the Controller of the Currency over national banks. He was also given entire jurisdiction over insolvent banks in place of the present method of court receiverships.

Had Some Good Features.

It was conceded by those who led the attack on the bill that it contained many good features, especially in its provisions as to loans to be made by the State. The bill was introduced in detail, covering 115 printed pages. Innumerable amendments were offered, clauses inserted, struck out, changed and re-numbered until few knew what was left. Delegates to the House of Delegates, patron of the bill, made a game fight, yielding point after point in the effort to gain votes by compromise. Members who had not had time to study so voluminous and far-reaching a measure, voted "no" as a precaution, and from the first there was a band of opponents who held that it was a measure in the interest of the banks rather than of the people.

The House also practically disposed of the question of redistricting by refusing to discharge a committee from the consideration of the bill. Gross iniquities are admitted, some delegates representing as many as 45,000 people, while others have less than 8,000 constituents.

Little Hope of Fee Reform.

Conceding that there was little or no prospect of fee reform at this session, Mr. Browning, of Orange, offered a resolution providing that this matter be considered with the question of the abolition of the fee system, by the Special Committee on Taxation, the report to be considered with the proposed new tax laws at the special session. Some speakers gave to this subject through a printer's error, which resulted in delivery of a lobbyist's copy of a bill affecting Norfolk County to certain members of the House, when it should have gone out to county and city treasurers.

It bore the notation: "Wire or write your member of the House and Senator to defeat above bill, which is, in my opinion, an entering wedge to overthrow all the reforms." The bill proposed an audit of the books of certain officials in Norfolk County, and was passed yesterday to its third reading. The general appropriation bill has been set by the House as a subject to be continued after 11 o'clock Tuesday morning. As reported by the committee, it carried \$1,355,606.67 for the first year and \$1,049,178.11 for the second year. With the special appropriation bills pending, Chairman Brewer and Auditor Moore, calculating that on the closest possible estimates of income, the State will have at the close of the two years a balance of \$13,478,212. Chairman Brewer gave notice, therefore, that any effort to add to the appropriation bill in any item, however meritorious, must be met by a corresponding cut somewhere else.

No Tax Rate Reduction.

Because of the demand for appropriations all hope of a reduction in the State tax rate has been abandoned. The Brewer-Weaver bill proposing a general reduction in the rate on real and personal property for State taxes from 35 cents to 25 cents on \$100 was stricken from the calendar yesterday, on motion of Colonel Brown, of the opposition. The bill is being kept alive by the State will be voting right up to its income.

The Senate spent the day in discussion of the Holt primary bill, several of the sections being passed. No final vote was reached, though the hope is expressed of getting through a bill which will, in the main, conform to the views expressed by Governor Stuart in his message. The House is disposed to mark time on primary legislation, and see what the Senate will do. Two years ago the House passed the Byrd primary law with only minor amendments, to have it cut to pieces in the Senate that its patron has repudiated it, and it has found no friends in actual operation.

The Senate Finance Committee reported favorably the bill making the Virginia Home and Industrial School for Girls in Chesterfield County a State institution, creating a board of trustees, with authority to continue the institution or, if it seems better, to dispose of the property and locate it elsewhere.

Heard.

Members of both branches were present in large numbers to hear an address by United States Senator Robert L. Owen, of Oklahoma, before the Senate Committee for Privileges and Elections yesterday afternoon on woman suffrage.

Secretary of State William Jennings Bryan will make an address before a joint session of the General Assembly at 1:30 o'clock today.

A joint committee appointed to receive the Secretary of State and arrange for the occasion, headed by Delegate Martin Williams and Senator John R. Saunders, will meet Mr. Bryan (Continued On Third Page.)

HEARINGS ON FEE BILL

Eminent Educators Favor Creation of Great National University.

Washington, February 27.—Eminent educators to-night presented to the House Education Committee arguments favoring the creation of a great national university in Washington. The committee took up the bill on Representative Fess, of Ohio, to provide for a national university, endowed by the government, and controlled and administered by government officials.

Committees of the National Association of State Universities and the National Education Association, were represented at the hearings. Both organizations have endorsed the principles of the Fess bill, and both urged early action upon it. Edmund M. James, president of the National Association, submitted a lengthy argument through his chairman, Dr. George Francis James, of the Minnesota State University.

Other speakers included Brown Ayres, president of the University of Tennessee; Carroll G. Pearson, principal of the Milwaukee Normal School; Charles W. Dabney, president of the University of Cincinnati; President W. O. Thompson, of the State University of Ohio, and President Brown, of the New York State University.

Hearings will be continued to-morrow night.

INCOME TAX TIME EXTENDED

Reports Mailed Up to Midnight Sunday Will Be Accepted.

[Special to The Times-Dispatch.] New York, February 27.—The United States government has extended the time for filing of income tax returns to midnight Sunday. The extension is made in order to enable taxpayers to file their returns before the close of business on Monday. This extension is due to the fact that March 1 falls on Sunday.

Estimates made to-day indicate that there already have been filed in the four New York City districts 75,000 returns, and it is believed that there are in New York approximately 100,000 persons who will contribute to the maintenance of the government under the income tax law provision.

There were more than 100 returns made to-day in person or by agent. It is estimated that 5,000 returns were sent in registered letters and 3,000 in the regular mail.

Deputy Collector Fath said to-night that since January 22, when he was assigned to this office by Collector Anderson, more than 25,000 returns have been handled in his office.

INVESTIGATORS AT WORK

Investigating Relations Between Pennsylvania Railroad and N. & W.

[Special to The Times-Dispatch.] Washington, February 27.—Special investigators from the Department of Justice are hard at work on evidence pertaining to the Pennsylvania Railroad and Western Railway, a supposed conspiracy to control the railroads of the United States.

No complaint has as yet been filed against the Pennsylvania Railroad, but it is understood that such action may be taken in a short time. It is known that the Pennsylvania Railroad has a large stock ownership in the Norfolk and Western. Whether this is more than 21 per cent has not yet been determined.

Dissolution proceedings will be started against the Pennsylvania Railroad as soon as it can be shown that it is in violation of the Sherman anti-trust law. The Norfolk and Western is in violation of the Sherman anti-trust law, as it is a common carrier of passengers and freight.

Smith may be ousted.

Fish Commissioner in Controversy With North Carolina Congressmen.

[Special to The Times-Dispatch.] Washington, February 27.—Have fish politics been given to the world? The result in ousting the latter from office. Godwin called Smith on the telephone the other day and asked him to resign. Smith said he could not comply with the request. Godwin then said that when a Republican was commissioner he would not trouble getting the fish. Smith replied that politics did not enter his office.

"Well, I'm a dried-in-the-wool Democrat, and I want the shad," retorted Godwin.

"Are the shad Democrats?" asked Smith.

Declaring his party had been insulted, Godwin is now demanding that Mr. Redfield oust Smith.

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SOUTH IS GROWING RAPIDLY

Kirkland Thinks It Offers Better Opportunities Than Any Other Section.

Philadelphia, Pa., February 27.—James H. Kirkland, of the University of Pennsylvania to-day, on the subject of the South, said that the South is growing more rapidly than the country as a whole. He said that the South offers better opportunities than any other section for constructive work of far-reaching character. He said that the South is a land of opportunity, and that it is a land of hope.

The newspaper, he added, is an important factor in the development of the South.

SHOWS HER LOVE FOR HORSES

Mrs. Gerry Appears in Court Against Negro Who Ill-Treated Animal.

[Special to The Times-Dispatch.] Philadelphia, Pa., February 27.—Mrs. Gerry, wife of the Pennsylvania Governor, appeared in court yesterday to testify against a negro who ill-treated his horse. She explained to the jury that the horse was unfit for labor, and that it be killed to put it out of pain.

Mrs. Gerry is an officer in the District of Columbia Humane Society, and has a strong love for horses of her own.

AGREE ON ALASKAN BILL

Conferees Will Be Ready to Report Measure on Monday.

Washington, February 27.—Practical agreement was reached late today by the conferees on the bill for the Alaska railroad. Senate conferees agreed to accept the House provision for a bond issue to finance the project, and fixing the maximum amount at \$40,000,000. The money will be appropriated from the Treasury as needed.

There remain only some matters of phraseology to settle, and it was announced that the conferees would be ready to report the bill for final action on Monday.

DEBT REPORT ADOPTED

West Virginia Commission Will Make It Public on March 1.

[Special to The Times-Dispatch.] Charleston, W. Va., February 27.—For the purpose of receiving the report of a subcommittee which has been working the past few months, the West Virginia commission to consider the Virginia debt suit met here to-night. The report was adopted, but will not be made public until presented at a joint meeting with the Virginia commission at Washington on March 4.

TAFT IS ADVOCATE OF CLAYTON BILL FOR COURT REFORM

Delegation of Noted Lawyers Before House Committee.

JOIN IN APPEAL FOR SIMPLE RULES

Nothing in Constitution, Former President Says, to Prevent Administration of Justice With Same Dispatch That Marks English Law—Need of Uniformity Urged.

Washington, February 27.—An appeal for simplification of court procedure to facilitate the administration of justice to-day was made to the House Judiciary Committee by a delegation of noted lawyers, headed by former President Taft. Speaking as president of the American Bar Association, Mr. Taft said lawyers of the United States were practically a unit in believing simple rules of practice should govern in all courts, Federal and State, and he strongly urged passage of a pending bill introduced by Representative Clayton, chairman of the committee.

The Clayton bill would empower the Supreme Court of the United States to lay down rules for the conduct of common law practice in Federal District Courts. It has already done in equity procedure. The procedure of States where these courts are located now governs them, and to-day it was pointed out that usages and rules of procedure built up by the various States have obscured the purpose of law in intricate mazes of technicalities, that have served particularly to protect men of wealth from prosecution.

Referring to the committee that there was nothing in the Constitution to prevent administration of justice in the United States with the same dispatch that marked English court business.

Bulwark of American Liberty.

During the discussion the former President departed from specific consideration of the pending bill, and dealt with the popular outcry against the judiciary, as it is now constituted. He believed, he said, that the Federal court system was the bulwark of American liberty, and that appointment for life was fundamental in maintaining that system, but he admitted that defects had arisen, all of which he believed could be cured by legislative enactments such as that before the committee. A study of this subject, he suggested, might be made by a paid commission, with the approval of the Supreme Court.

Referring to the investigations of several Federal judges now in progress, Mr. Taft declared it was a wholesome thing for Congress to exercise this power.

"I think it is an admirable thing," he said, "for these judges to understand that they are being watched."

One of the troubles with life appointments for judges, he said, was that the judges were not held to account by the people. He said that it was often a dangerous thing to make charges against a court clerk before the judge. He said that the judges could be removed by Congress, Judge Taft insisted, and the courts as they are now constituted could be vindicated without resort to the recall measure, which he believed would be a disaster.

Judge Taft said he would have this extend even to appointment of receivers by Federal judges, requiring the court to select them from a list furnished by the Interstate Commerce Commission.

In Favor of Pending Bill.

Judge Taft urged passage of the pending bill in the name of the American Bar Association, adding that, in his opinion, it would be advisable to provide for examination of the rules of procedure by a commission with a view to harmonizing and administering together the two sides of Federal court work. For the present, he thought the authorization contained in the bill was all that should be attempted.

Other speakers included in the list were Judge Albert B. Parker, Senator Root, and Mr. Frank D. Kellogg, and Thomas W. Shelton, chairman of the uniform judicial procedure committee of the American Bar Association.

Judge Parker also dwelt upon the need of uniformity. He said that there was an ideal in view, as suggested by Mr. Taft, of complete uniformity in procedure throughout the Federal courts, and perhaps even the State courts at some time.

Senator Root declared Legislatures had built up under the pressure of individual interests, codes of procedure which prevented the courts from administering justice. In his own State, he said, a man might be compelled to try twenty suits to reach a decision on a simple claim.

"Corps of acute, adroit code lawyers had grown up under this abuse," he said, "who were able to clog the wheels of justice with technical evasion."

The man of small means soon became discouraged, even ruined, he said, while men of wealth secured immunity from being brought to justice.

TAFT AT WHITE HOUSE

Guest at Luncheon of President and Mrs. Wilson.

[Special to The Times-Dispatch.] Washington, February 27.—Former President Taft, jovial as ever, but not quite so stout, created a sensation at the White House to-day, when he had luncheon with President and Mrs. Wilson. Mr. Taft, at his erstwhile dining chair had been called. Instead he sat in an ordinary chair, and the glad chair just like the one President Wilson occupied.

"You see," he smiled, "I am not in the heavyweight class any more."

Other guests at the luncheon were Senator Root and Miss Mabel Boardman. Mr. Taft is the house guest of Miss Boardman.

STATE DEMOCRACY URGED TO ADOPT ADVANCED FAITH

Senator Owen Brings Gospel of Initiative and Referendum.

ADDRESSES 3,000 AT AUDITORIUM

Progressive Democratic League Opens Its Convention With Mass-Meeting—Stuart Gets Real Ovation, and Name of Carter Class Is Warmly Cheered.

To a crowd of 3,000 members and friends of the Virginia Progressive Democratic League, gathered in the City Auditorium last night, Senator Robert L. Owen, of Oklahoma, brought a political gospel new to Virginia—the gospel of real rule by the people through the agencies of the initiative, referendum, and recall. The doctrine fell with an unaccustomed ring upon the ears of men bred to governmental methods of an older school, but it was met with a warm and acclamatory response well for its future in the Commonwealth of Virginia.

There was a directness about Senator Owen's method of dealing with his subject that overcame whatever prejudices a part of the audience harbored against the new political creed. The Constitution of the United States, while an instrument to be held in honor and revered, was to him no sacrosanct code molded by divine hand. He even recognized in it the crafty handiwork of those of our forefathers who loved property rights better than human rights—a failing which, he said, the new principles of government are to set right.

Principles Not New.

The initiative and referendum, novel in terminology though they be, according to Senator Owen, are no new tenets in American political thought. Thomas Jefferson, he held, asserted it in his declaration that the right of the people to rule may be established even at the cost of revolution. Abraham Lincoln, he said, unconsciously espoused the initiative and referendum when he declared that all of the people know more than some of the people.

The speaker carefully refrained from making any allusion to political signs of the times in Virginia. This State and all the other States, he said, are facing a new era of government, the keynote of which is a direct government by the people, and Virginia's Democracy, in order to survive, must adjust itself to the new order.

Upon a stage, with the speaker were seated a large delegation from the two houses of the General Assembly and representatives of the Democracy of the State at large. He was presented to the audience, which nearly filled the large auditorium, by Attorney-General John Garland Pollard. On the right of the Senator sat Governor Stuart.

Crowd Calls for Stuart.

The long applause that followed the address of Senator Owen had scarcely died away when cries for Governor Stuart arose from every part of the building. The calls grew more and more insistent, and the Governor arose amidst a storm of handclapping to respond to the demonstration.

"I regard this as an unfair use of the initiative," said Governor Stuart, when the crowd had quieted down sufficiently to enable him to be heard. It was the signal for a new outburst, which lasted a full minute. "It is only necessary for me to acknowledge the compliment you pay me by this call and to take the privilege. If you will permit me, of thanking for us all the great Virginia who has just made this magnificent address."

The address last night was the big feature of the Virginia Progressive Democratic League's entrance into State politics as a full-fledged organization. The election of officers will take place to-day. The initial convention will come to an end to-night, with an address in the City Auditorium by William Jennings Bryan, Secretary of State.

Pollard Presents Speaker.

In his introduction of Senator Owen, Attorney-General Pollard drew attention (Continued On Seventh Page.)

PREPARE FOR NEXT TRIAL OF BECKER

Defense Has Between Twelve and Sixteen New Witnesses to Take Stand.

WILL MOVE FOR DISMISSAL

Evidence During Hearing Likely to Prove More Sensational Than Before.

[Special to The Times-Dispatch.] New York, February 27.—The second trial of former Lieutenant Charles Becker for the murder of Herman Rosenthal is likely to prove more sensational than the first.

According to Attorney Joseph A. Shay, who fought Becker's case in the Court of Appeals, the defense has uncovered between twelve and sixteen new witnesses, whose testimony will utterly discredit that of Jack Rose, Sam Schepps, Bridge Webber and Harry Vallon, the four men who, the State charged, conspired with Becker to commit the crime.

"We have enough new evidence to shatter the State's case beyond repair," said Shay to-day. "We are now able to prove, beyond any doubt, that Becker, Vallon, Rose and Schepps lied, the former trial. I am as confident of Becker's acquittal as I am of the coming of another day."

"After the prosecution has presented its case, which will naturally come first, I will move for a dismissal of the case on the ground that the evidence is insufficient, and also on the ground that the murder was planned in Harlem, at the residence of Becker, and not in the place before the development of the motive—Rosenthal's 'sneak.' This point received much attention in the decision of the Court in Appeals."

Will Differ Materially.

"If my motion for dismissal is not granted, I will proceed to present my case, and it will differ very materially from that of the first trial. In the first place, Becker himself will take the stand and tell the whole story of his connection with the men who swore away his life. I expect his testimony, under direct and cross-examination, to be one of the strong points of our case."

"Another difference is that our witnesses will be almost entirely new. The most important of them is Patrick Ryan, employed as a waiter in an uptown place. Ryan was standing in the Metropole when Rosenthal was shot."

"He saw Sam Schepps holding open the door of the so-called 'murder car,' and saw Harry Vallon run across the sidewalk and jump in. His testimony will stamp Sam Schepps, at least, as an accomplice, and when it is proven that the other three were actually present at the scene of the crime, they will forfeit their immunity. One of the conditions upon which Whitman gave it to them is that they were not present."

"Schepps rode away on the running board of the 'murder car' and Vallon was in it. I will not go on record now saying that Vallon did the shooting, but I think the testimony of Ryan and other eyewitnesses will prove sensational."

"We also have witnesses who will swear that many of the alleged meetings under direct and cross-examination, seem to me to be unimpeachable. Becker was convicted before by virtue of popular clamor against the 'system,' not by sworn evidence. This time we will show what a tissue of lies the testimony against him was."

"We don't intend to try to fasten the crime on Vallon or any one else. We simply want to prove that Becker is innocent of the murder charge, whether he was a grafter or not. Graft has nothing to do with this case, and I don't believe Mr. Whitman will at (Continued On Second Page.)

SPEAKS HERE TO-NIGHT



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TEXAS GOVERNOR DEFINES POSITION

Tells to What Extent He Undertakes to Protect People of His State.

NO TROOPS TO CROSS BORDER

Says There Is Deliberate Effort at Washington to Make Him Appear Ridiculous.

Austin, Texas, February 27.—Governor A. B. Colquitt, of Texas, to-day issued the following statement:

"The Associated Press dispatches from Washington, referring to my telegram of yesterday addressed to the President concerning conditions on the Texas-Mexican border, make the following statement:

"A similar situation arose in Texas in February, 1912, and February, 1913, when border troubles caused Governor Colquitt to declare he might send Texas rangers into Mexico, either to prevent firing into American territory or protect Americans."

"And again the Associated Press dispatches from Washington say:

"When, February 24, 1913, Governor Colquitt ordered four companies of militia to Brownsville, the War Department telegraphed General Steever, then in command of the department of Texas, 'Under no circumstances permit their crossing the river, except under specific orders of the Secretary of War.'"

"The statements quoted above are positively untrue, in so far as they allege that I have threatened to send rangers into Mexico. I have never said that I would send rangers into Mexico. I have only said that I might send them into Mexico, either to prevent firing into American territory or protect Americans."

"In February, 1913, after the American consul at Matamoros had telegraphed to the captain of the ranger company at Brownsville and also to the county judge and sheriff of Cameron County, Texas, regarding the threats of the Mexican troops against Americans in Matamoros and their demand for \$20,000 a given hour of the night, these public officials called upon me to protect the people of Texas living in Brownsville."

"Recognizing it to be the duty of the Federal government to afford this protection, I communicated the telegram received from the captain of the militia company at Brownsville to General Steever at Fort Sam Houston, San Antonio. Subsequently, when a request came to me from the county judge and sheriff of Cameron County, Brownsville being the county seat thereof, appealing to me to protect the people of that vicinity against disturbance in Matamoros and probable violence in Brownsville, I immediately called up General Steever and read to him the telegram of the county judge and sheriff."

"I asked General Steever if he could send Federal troops to Brownsville to give the protection which the county judge and sheriff asked for. At that time, the nearest Federal troops to Brownsville were at Fort McIntosh, near Laredo, which is approximately 250 miles from Brownsville by rail. He addressed me over the telephone as follows:

"The text of Governor Colquitt's telegram to Secretary Bryan follows:

"Your telegram, in answer to the one sent by me to the President, is received. I do not want to invade Mexico with a military force. I asked your co-operation in maintaining the rights of dignity of this State and your consent to extend to me the rangers, who are peace officers of this State, to advise me who is recognized by him as the constituted authority in Mexico. I repeat the inquiry and ask whom you recognize as constituted in the State of Nuevo Leon, as I have present regulations to the proper authorities of that State for the surrender of fugitives from justice, notably, those responsible for the theft of Clemente Vergara's property. The telegram in which this request was based on rights of extradition which Governor Colquitt claims between the United States and Mexico."

Attorney-General B. F. Looney, in an opinion given the Governor, to-day held that regulation may properly be made for the extradition of the five men with him, who are charged with the seizure of Vergara. Such regulation, he said, should be upon the "military chief" who was at this time he located. An explanation will be given by the State of Texas, that Vergara was killed outside of Texas, and that the Governor could not requisition on a charge of murder, but only for the theft, which occurred on Texas soil."

No Change in Policy.

Washington, February 27.—Two hours of discussion of the Mexican situation in all its phases by President Wilson and his Cabinet to-day, developed a unanimity of opinion that the time had not yet arrived for any change in the policy of the Washington government.

Though still reserving judgment on the facts surrounding the execution of William B. Benton, the subject, the President and his Cabinet, he learned authoritatively, were inclined to regard as of serious moment the telegram by Mexican Federalists of Clemente Vergara, an American citizen. Immediately after the Cabinet meeting, the Secretary Bryan cabled to the Huerta government the punishment of those responsible for Vergara's death. An explanation will be sought by the American government of why the United States government of Huerta had been given to the American consular representatives that he was safe.

Incidentally, the memorandum circulated by the Huerta government among diplomatic representatives in Mexico City, pointing to the United States that the Constitutionalists were unable to protect foreigners, and, therefore, ought to be deprived of the rights to get arms in the United States, did not reach the State Department. Secretary Bryan said it had not been received, and there were intimations from high officials that the memorandum meant little, in view of the wanton murder of Vergara.

Virtually every move that has ever been suggested for the protection of Americans and foreigners in Mexico and for the restoration of peace in that country was discussed by the Cabinet. No conclusion was reached, except that there had been aggressive pursuit of facts in both the Benton and Vergara deaths.

Body Will Be Examined.

Late in the day Secretary Bryan conferred with Sir Cecil Spring-Rice, British ambassador, whom he informed that General Villa had consented to allow the body of Benton to be seen or (Continued On Fifth Page.)

VERGARA KILLED WHILE IN CUSTODY OF HUERTA'S MEN

Direct Charge Is Made by Ranger Captain to Texas Governor.

LURED FROM HOME TO CROSS BORDER

Colquitt Wires Secretary Bryan, Asking What Method to Follow in Effort to Apprehend Federalists Responsible for Death—No Present Change in Policy.

Austin, Texas, February 27.—Ranger Captain J. L. Sanders, reporting to Governor A. B. Colquitt late to-day, made the direct charge that Clemente Vergara, an American ranchman, was shot to death while in the custody of Mexican Federal troops, ostensibly en route from the jail at Hidalgo to Federal headquarters at Piedras Negras, Mexico. To-night Governor Colquitt again telegraphed Secretary of State Bryan, asking what method should be followed in an effort to apprehend those responsible for the killing of Vergara.

Colquitt said that he had received from Captain Sanders a letter stating: "Will advise that on the morning of February 13 five Federal soldiers, under command of Apolonio Rodriguez, crossed the Rio Grande to an island belonging to the United States, taking therefrom eleven horses belonging to Clemente Vergara, carrying them to the Mexican side of the river. In passing the house of Vergara, which stands on the banks of the river on the Texas side, one of the men went to the river and called to Vergara, requesting him to come across the river. The captain wanted to arrange with him about paying for the horses. Vergara and a nephew of his crossed in a skiff to the Mexican side, where two more men struck him three times on the head with a pistol, dragging him to the bank and carrying him to Hidalgo. On Sunday at 2 A. M. he was taken from the Hidalgo jail and started with guards, ostensibly to Piedras Negras, but was shot to death after he had only a short distance. Vergara was born and reared in Webb County, Texas, and I am informed that he had been a resident of the river, signed by Sheriff Sanchez, of Webb County, and by Garza Salazar."

Colquitt Wires Bryan.

The text of Governor Colquitt's telegram to Secretary Bryan follows:

"Your telegram, in answer to the one sent by me to the President, is received. I do not want to invade Mexico with a military force. I asked your co-operation in maintaining the rights of dignity of this State and your consent to extend to me the rangers, who are peace officers of this State, to advise me who is recognized by him as the constituted authority in Mexico. I repeat the inquiry and ask whom you recognize as constituted in the State of Nuevo Leon, as I have present regulations to the proper authorities of that State for the surrender of fugitives from justice, notably, those responsible for the theft of Clemente Vergara's property. The telegram in which this request was based on rights of extradition which Governor Colquitt claims between the United States and Mexico."

Attorney-General B. F. Looney, in an opinion given the Governor, to-day held that regulation may properly be made for the extradition of the five men with him, who are charged with the seizure of Vergara. Such regulation, he said, should be upon the "military chief" who was at this time he located. An explanation will be given by the State of Texas, that Vergara was killed outside of Texas, and that the Governor could not requisition on a charge of murder, but only for the theft, which occurred on Texas soil."

No Change in Policy.

Washington, February 27.—Two hours of discussion of the Mexican situation in all its phases by President Wilson and his Cabinet to-day, developed a unanimity of opinion that the time had not yet arrived for any change in the policy of the Washington government.

Though still reserving judgment on the facts surrounding the execution of William B. Benton, the subject, the President and his Cabinet, he learned authoritatively, were inclined to regard as of serious moment the telegram by Mexican Federalists of Clemente Vergara, an American citizen. Immediately after the Cabinet meeting, the Secretary Bryan cabled to the Huerta government the punishment of those responsible for Vergara's death. An explanation will be sought by the American government of why the United States government of Huerta had been given to the American consular representatives that he was safe.

Incidentally, the memorandum circulated by the Huerta government among diplomatic representatives in Mexico City, pointing to the United States that the Constitutionalists were unable to protect foreigners, and, therefore, ought to be deprived of the rights to get arms in the United States, did not reach the State Department. Secretary Bryan said it had not been received, and there were intimations from high officials that the memorandum meant little, in view of the wanton murder of Vergara.

Virtually every move that has ever been suggested for the protection of Americans and foreigners in Mexico and for the restoration of peace in that country was discussed by the Cabinet. No conclusion was reached, except that there had been aggressive pursuit of facts in both the Benton and Vergara deaths.

Body Will Be Examined.

Late in the day Secretary Bryan conferred with Sir Cecil Spring-Rice, British ambassador, whom he informed that General Villa had consented to allow the body of Benton to be seen or (Continued On Fifth Page.)